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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON
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9 JOHN CHAVERS,)
10 Plaintiff,) NO. CV-04-0234-MWL
11 v.) ORDER ADOPTING STIPULATION OF
12 WASHINGTON STATE DEPARTMENT) DISMISSAL WITH PREJUDICE
13 OF CORRECTIONS, et al.,)
14 Defendant.)
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16 On January 27, 2006, Plaintiff, John Chavers, by and through
17 his attorney, Kenneth Isserlis, and Defendants, state of
18 Washington Department of Corrections, Joseph Lehman, John Lambert,
19 Carla Schettler, Dennis Weaver, Jake Demory, Robert Sterns, and
20 Brian Maguire, by and through their attorneys, Rob McKenna and
21 Peter W. Berney, agreed and stipulated to dismiss the above
22 entitled matter, with prejudice, upon the grounds that the matter
23 has been fully settled between the parties as to all claims. (Ct.
24 Rec. 52). The parties have consented to proceed before a
25 magistrate judge. (Ct. Rec. 27).

26 GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED:

27 1. The parties stipulated motion for dismissal pursuant to
28 the settlement of this action (Ct. Rec. 52) is **GRANTED**.

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3. Defendants shall additionally pay \$10,000.00 in attorneys' fees and costs to Plaintiff's attorney, Kenneth Isserlis.

4. Plaintiff shall be transferred to a single man cell at the Ahtanum View Correctional Complex in Yakima, Washington, or the Monroe Correctional Complex, Twin Rivers Unit in Monroe, Washington, when such a cell becomes available, with the understanding that continued placement in this cell shall be at the discretion of the Department of Corrections ("DOC"), provided that the DOC will continue Plaintiff's placement in a single man cell unless his remaining in a single man cell is incompatible with the DOC's policies and regulations.

5. The above entitled case is hereby dismissed with prejudice.

6. The District Court Executive is directed to file this Order, provide a copy to counsel for Plaintiff and Defendants, and **CLOSE** the file.

DATED this 27th day of January, 2006.

DATED this 27th day of January, 2006.

S/ Michael W. Leavitt
MICHAEL W. LEAVITT
UNITED STATES MAGISTRATE JUDGE